

AMENDMENT TO THE SPECIFICATION

1. (CURRENTLY AMENDED) An animated tree including in combination:

a trunk member having a plurality of openings therein, with said openings having an upper engaging surface and a lower engaging surface;

an actuating member positioned within said trunk member and extending substantially the length thereof, said actuating member being operable between an extended, upward position and a collapsed, downward position;

a plurality of flexible tree branches extending through said ~~predetermined~~ openings in said trunk member, with said branches having a proximal end anchored to said actuating member and having a distal end extending outwardly from said trunk member through said openings;

wherein when said actuating member is in said extended, upward position, a portion of said flexible tree branches contact said upper engaging surface of said openings to force said distal ends of said branches to extend downwardly to the collapsed position, and when said actuating member is in said collapsed position, a portion of said tree branches contact said lower engaging surfaces of said openings to force said distal ends of said branches to move to an extended position to provide a full sized animated tree.

2. (ORIGINAL) The animated tree in accordance with claim 1, wherein said actuating member is driven by a motor member.

3. (ORIGINAL) The animated tree in accordance with claim 2, wherein said output of said motor member is a rotating drive shaft.

4. (CURRENTLY AMENDED) The animated tree in accordance with claim 3, wherein said rotating drive shaft is linked to said actuating member to drive ~~the same~~ said actuating member.

5. (CURRENTLY AMENDED) The animated tree in accordance with claim 4, wherein said linkage is rotating drive shaft is linked to said actuating member by a pair of linkage members coupled together to provide up or down forces on said actuating member to move ~~the same~~ said actuating member between said upward and said downward positions.

6. (ORIGINAL) The animated tree in accordance with claim 4, wherein said linkage includes a pinion gear rotatable with said drive shaft of said motor member and a linear gear mounted to said actuating member, with said gears meshing together to move the actuating member between said upward and said downward positions.

7. (ORIGINAL) The animated tree in accordance with claim 1, wherein said trunk member includes guide members mounted therein to retain said actuating member in alignment with said trunk member.

8. (ORIGINAL) The animated tree in accordance with claim 1, wherein said movement between said extended position and said collapsed position is between 10 seconds to 5 minutes.

9. (ORIGINAL) An animated tree including in combination:
a trunk member having a plurality of openings therein, with said openings being structurally arranged;

an actuating member positioned within said trunk member and extending substantially the length thereof, said actuating member being operable and driven between an extended, upward position and a collapsed, downward position;

a plurality of sleeve members associated with said actuating member and structurally

arranged to cooperate with said trunk member and said openings therein;

10 a plurality of flexible tree branches extending through said openings in said trunk member,
with said branches having a proximal end anchored to said trunk member and having a distal end
extending outwardly from said trunk member through said openings in said trunk member and said
sleeve members;

15 wherein said actuating member is in said extended, upward position, said flexible tree
branches are contacted by said sleeve members to force said distal ends of said branches to an
extended position, and when said actuating member is in said collapsed position said tree branches
are contacted by said sleeve members to force said distal ends of said branches to move to a
downward, collapsed position.

10. (ORIGINAL) The animated tree in accordance with claim 9, wherein said actuating
member is driven by a motor member.

11. (ORIGINAL) The animated tree in accordance with claim 10, wherein said output of
said motor member is a rotating drive shaft.

12. (ORIGINAL) The animated tree in accordance with claim 11, wherein said rotating
drive shaft is linked to said actuating member to drive the same.

13. (ORIGINAL) The animated tree in accordance with claim 12, wherein said linkage is
a pair of linkage members coupled together to provide up or down forces on said actuating member
to move the same between said upward and said downward positions.

14. (ORIGINAL) The animated tree in accordance with claim 12, wherein said linkage includes a pinion gear rotatable with said drive shaft of said motor member and a linear gear mounted to said actuating member, with said gears meshing together to move the actuating member between said upward and said downward positions.

15. (ORIGINAL) The animated tree in accordance with claim 9, wherein said trunk member includes guide members mounted therein to retain said actuating member in alignment with said trunk member.

16. (ORIGINAL) The animated tree in accordance with claim 9, wherein said movement between said extended position and said collapsed position is between 10 seconds to 5 minutes.

17. (ORIGINAL) The animated tree in accordance with claim 9, wherein said actuating member includes an upper end portion that extends beyond said trunk member when in said extended, upward position.